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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

HON. PATTY SHWARTZ

Plaintiff,

Civil Action No. 09-4634

v.

Plaintiff's Pretrial Statement

BRUNO TEIXEIRA
712 WYOMING AVENUE
ELIZABETH, NEW JERSEY 07208

Defendant(s).

Plaintiff, the United States of America, for the Department of Education, hereby submits the following Plaintiff's Pretrial Statement in accordance with the Scheduling Order of this Court entered December 29, 2009.

(1) List of Exhibits:

- (a) Promissory Note: \$1,000.00
- (b) Promissory Note: \$8,500.00
- (c) Account Level Information
- (d) Collector Note Pad
- (e) Letter History Screen
- (f) Debt Level Information Screen
- (g) Account Transaction Screen
- (h) Payment Detail Screen
- (i) FDSL Program Specific Screen
- (j) Account Profile Screen 2
- (k) Certificate of Indebtedness # 1 of 1
- (l) Defendant's Answers to Interrogatories

(2) List of Witnesses:

- (a) Lynda Faatalale or Alberto Franscisco,
Representative, Department of Education
50 Beale Street
San Francisco, CA 94105

(3) Testimony:

(a) Business Records of the Department of Education, establish that on or about October 8, 1994, the Defendant signed the Promissory Notes referenced in the Complaint. The loans were disbursed in the amounts of \$8,500 and \$10,000, on or about December 29, 1994.

The Department made demand for payment according to the terms of the Note and the Defendant defaulted on the obligation on or about October 9, 1997.

After crediting the Defendant with payment from all sources, including Treasury Department offsets, if any, to the balance, the borrower owes the United States the following, as of 5/12/09:

Principal:	\$19,490.33
Interest:	\$14,772.14
Total Administrative charges due:	\$0.00
Total Penalty Charges Due:	\$0.00
Total Debt as of 5/12/09	\$34,262.47

Interest accrues on the principal shown here at the current rate of 5.01 percent and a daily rate of \$2.67 through June 30, 2009, and thereafter at such rate as the Department establishes pursuant to Section 4559b) of the Higher Education Act of 1965 as amended, 20 U.S.C. 1087e.

(b) In response to the Answer: The Department has not cancelled the Defendant's indebtedness or made any repayment plan with him.

Respectfully submitted,
Frank J. Martone, P.C.

Frank J. Martone /s/

Frank J. Martone, Esq.
Attorney for Plaintiff

CERTIFICATION OF SERVICE

I, SARAI SAMETH a paralegal at the office of Frank J. Martone, P.C., do certify that the Plaintiff's Pretrial Statement was sent to the individuals and/or entities listed on the service list below on April 12, 2010.

Dated: 4/12/10

Sarai Sameth /s/

SARAI SAMETH

SERVICE LIST

Via electronic filing and UPS

Hon. Patty Shwartz, USMJ
US Post Office & Courthouse Bldg.
Federal Square,
Newark, NJ 07101

Via certified and regular mail

Bruno Teixeira, Defendant, Pro Se
712 Wyoming Avenue
Elizabeth, NJ 07208-1541